

pending application, (hereinafter "the Good article"), in view of U.S. Patent Application Publication No. 2004/0088678 A1 to Litoiu et al. (hereinafter "Litoiu"). This rejection is respectfully traversed.

The Office Action concedes that the Good article does not specifically teach automatically updating the hierarchy when a user edits the layout in the zoomable space, as is positively recited, among other features, in each of independent claims 1, 16-18, 32 and 33. Rather, the Office Action relies on Litoiu as allegedly making up for the shortfall in the application of the Good article to the subject matter of the pending independent claims. The analysis of the Office Action falls short for several reasons.

The claims recite automatically updating the hierarchy when a user edits the layout in the zoomable space. There is nothing in Litoiu that would have rendered obvious such a feature. The Office Action asserts, with general reference to paragraphs [0019] and [0035] of Litoiu, that this reference can somehow reasonably be considered to make up for the acknowledged shortfall in the application of the Good article to the subject matter of the pending claims. The Office Action concludes that it would have been obvious "to automatically the zoomable space when a user updates the hierarchy because such updates are recognized by Litoiu et al. to be readily adaptable by persons in the art as a form of a zoomable interface that displays selected nodes at magnifications that are continuously variable at the users option ("Ordinary updates to flow model 402 can be readily adapted by persons skilled in the art., para. [0035])." This assertion uniquely paraphrases the features recited in the pending claims. It is unclear that the assertion is actually directed to the feature that the Office Action concedes is not taught by the Good article.

Litoiu is directed to a method and system for visualizing process flows for business and manufacturing processes including a first view of the process as a tree showing the process elements and their interconnections, and a second view of the process in the form of a

zoomable interface that displays selected nodes at magnifications that are continuously variable at the users option (Abstract). In other words, as is plainly shown in, for example, Figs. 3A/3D, Litoiu provides an opportunity for a user to enter any specific node of a flow diagram and to view that node and, for example, its sub-nodes in a hierachal view, or a zoomable node view. There is nothing in Litoiu that can reasonably be considered to teach, or to have rendered obvious, any automatic update of any hierarchy that occurs when a user edits any layout in a zoomable space.

The unique manner by which the Office Action attempts to apply Litoiu, not directly to the features recited in the pending claims, but rather to some version of those features, fails to support a *prima facie* case for obviousness of the automatic updating feature recited in each of the independent claims. That a user may somehow update the flow does not render obvious any automatic update of the hierarchy when the user updates the layout.

For at least the foregoing reasons, any permissible combination of the Good article and Litoiu, which Applicants do not concede are combinable in the manner suggested by the Office Action, would not have rendered obvious the combinations of all of the features positively recited in at least independent claims 1, 16, 17, 18, 32 and 33. Further, claims 2-5, 7-15, 19-23, 25-31 and 34 would also not have been suggested by this combination of applied references for at least the respective dependence of these claims directly or indirectly on allowable base claims, as well as for the separately patentable subject matter that each of these claims recites.

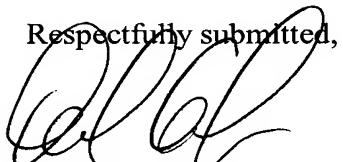
Accordingly, reconsideration and withdrawal of the rejection of claims 1-5, 7-23 and 25-34 under 35 U.S.C. §103(a) as being unpatentable over the Good article in view of Litoiu are respectfully requested.

Based on the misinterpretation of the features recited in the pending claims, the misapplication of the currently-applied secondary reference and because this application was

filed nearly six years ago and has been the subject of six rejections at this point, Applicants respectfully request that, under the provisions of MPEP §707.02, if any of the rejections are maintained, a Supervisory Patent Examiner is requested to specifically review the basis for maintaining those rejections.

In view of the foregoing, Applicants respectfully submit that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-5, 7-23 and 25-34 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicants' representative at the telephone number set forth below.

Respectfully submitted,

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Date: November 27, 2009

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